

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

| | | |
|---------------------------------|---|------------------------------------|
| L3HARRIS TECHNOLOGIES, INC., |) | |
| |) | |
| Plaintiff, |) | CIVIL ACTION NO. 2:18-cv-00439-JRG |
| |) | |
| v. |) | LEAD CASE |
| |) | |
| HUAWEI DEVICE USA, INC., HUAWEI |) | JURY TRIAL DEMANDED |
| DEVICE CO., LTD., HUAWEI |) | |
| TECHNOLOGIES USA INC., HUAWEI |) | |
| TECHNOLOGIES CO. LTD., AND |) | |
| HUAWEI DEVICE (SHENZHEN) CO., |) | |
| LTD. |) | |
| |) | |
| Defendants. |) | |

**PLAINTIFF L3HARRIS TECHNOLOGIES, INC.’S MOTION TO WITHDRAW
WITHOUT PREJUDICE ITS MOTION TO COMPEL PRODUCTION OF TECHNICAL
DOCUMENTS AND SOURCE CODE**

Plaintiff L3Harris Technologies, Inc. (“Harris”) previously filed a motion to compel production of technical documents and source code concerning accused smartphones, tablets, and laptop computers. *See* Plaintiff’s Motion to Compel Production of Technical Documents and Source Code, Dkt. 84. Subsequent to the Court’s grant of Plaintiff’s Motion to Amend its P.R. 3-1 Infringement Contentions (see Memorandum and Order, Dkt. 94), the parties conferred about Huawei’s production of the materials sought via Harris’s Motion to Compel. In those conferences, Huawei committed to:

- Begin rolling production of technical documents by September 24, 2019.¹
- Produce at least versions 9.1.0 and 9.1.1 of its EMUI operating system source code by September 30, 2019.

¹ On September 24, 2019, Huawei produced 45 documents, of which 28 were copies of public user guides for the accused consumer products.

In reliance on Huawei's commitments to produce at least some technical documents and source code sought via Harris's Motion to Compel, and without prejudice to Harris's right to reassert its Motion to Compel should that production be deficient, Harris agreed to withdraw that Motion (Dkt. 84) from consideration.

Counsel for the parties have conferred and Defendants do not oppose the withdrawal without prejudice requested via this Motion.

Dated: September 25, 2019

Respectfully Submitted,

By: /s/ Corey Johanningmeier

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L3HARRIS TECHNOLOGIES, INC.

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for Plaintiff have complied with the meet and confer requirement of Local Rule CV-7(h) and (i). The withdrawal without prejudice requested in this Motion is unopposed.

Dated: September 25, 2019

By: /s/ Corey Johanningmeier
Corey Johanningmeier

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a) with a copy of this document via the Court's CM/ECF system.

Dated: September 25, 2019

By: /s/ Corey Johanningmeier
Corey Johanningmeier